



**Winchester, New Hampshire**  
**1 Richmond Road, Winchester, NH 03470**  
**(603) 239-4951**

Zoning Board of Adjustment  
Application for

*Special Exception   Use Variance   Area Variance*  
*Equitable Waiver of Dimensional Requirements*  
*Appeal from an Administrative Decision*

### **Instructions To The Applicant**

Please read carefully before completing the application.

It is recommended that the applicant become familiar with the Town of Winchester Zoning Ordinance and New Hampshire Land Use Statutes RSA 672-677.

There are four requests that may be presented to the Zoning Board of Adjustment:

**Special Exception-**The zoning ordinance provides that the ZBA, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance. All special exceptions shall be made in harmony with the general purpose and intent of the zoning ordinance and shall be in accordance with specific rules contained in the ordinance.

**Variance-** An authorization, which may be granted under special circumstances, to use your property in a way that is not permitted under the terms of the zoning ordinance. For a variance to be legally granted, you must show that your proposal meets ALL FIVE of the following:( Refer to RSA 674:33). You must determine if the request is for a use variance or an area variance.

**Equitable waiver of dimensional requirements-** When a lot or other division of land, or structure there upon, is discovered to be in violation of a physical layout or dimensional requirement imposed by a zoning ordinance enacted pursuant to RSA 674:16, the zoning board of adjustment shall, upon application by and with the burden of proof on the property owner, grant an equitable waiver from the requirement, if and only if the board makes all of the following findings: (see RSA:33-a.)

**Appeal from an Administrative Decision-** If you have been denied a building permit or are affected by some other decision regarding the administration of the Winchester Zoning Ordinance, and you believe that the decision was made in error under the provisions of the ordinance; you may appeal the decision to the ZBA. (Refer to 674:33)



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**Section 1: General information**

Application for: \_\_\_\_\_

Map# \_\_\_\_\_ Lot# \_\_\_\_\_

Date: \_\_\_\_\_

Name & address of applicant: \_\_\_\_\_  
Phone: \_\_\_\_\_

Name & address of owner: \_\_\_\_\_  
Phone: \_\_\_\_\_

Location of property: \_\_\_\_\_  
Zoning District: \_\_\_\_\_

Description of property (include a plot plan, frontage, side & rear lines, water, structures, etc.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed use or existing use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fill out the attached abutters list and submit the fee of \$100 with the completed application and other necessary forms at least 5 days prior to the review by the ZBA. The ZBA meet on the first Thursday of each month. A complete application will be reviewed for acceptance before a public hearing is held within 30 days. You or your representative must be present at the hearing.

Please complete section 2,3, 4 or 5.  
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**2. Special Exception**

The undersigned hereby request a special exception as provided in Article \_\_\_\_\_, Section \_\_\_\_\_, subparagraph \_\_\_\_\_, of the Winchester zoning ordinance.

\_\_\_\_\_  
Signature of applicant and date

**3. Use or Area Variance (circle one)**

The undersigned hereby requests a use variance to the terms of Article \_\_\_\_\_, section \_\_\_\_\_, subparagraph \_\_\_\_\_, of the Winchester zoning ordinance. I/we ask that the terms be waived the allow proper enjoyment of referenced property.

\_\_\_\_\_  
Signature of applicant and date

**4. Equitable Waiver of Dimensional Requirements**

The undersigned hereby requests an equitable waiver from the requirements of Article \_\_\_\_\_, section \_\_\_\_\_. (Describe the waiver request)\_\_\_\_\_

\_\_\_\_\_  
Signature of applicant and date

**5. Appeal from Administrative Decision**

The undersigned alleges that an error has been made in the decision, determination, requirement, by the \_\_\_\_\_ on(date)\_\_\_\_\_ regarding granting or disapproving the request for a \_\_\_\_\_ submitted by \_\_\_\_\_ of \_\_\_\_\_ and herby appeals said decision.

Please attach a copy of said decision and a written response by the applicant on why appealing.

\_\_\_\_\_  
Signature of applicant and date

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After the public hearing, the board will reach a decision. You will be sent notice of this decision. If you believe the board's decision is wrong, you have the right to appeal. The Selectmen or any party affected has similar rights of appeal. The appeal, you must first ask the board for a rehearing. The motion for a rehearing may in the form of a letter to the board. The motion must be made within 20 days of the decision and must set forth the grounds on which the claimed the decision is unlawful or unreasonable. The board may grant a rehearing if there are good reasons stated in the motion. Notice to the public and abutters is required. Refer to RSA 677 for details.

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